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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,682	09/08/2005	Yoshihisa Miura	F-8721	4013
28107	7590	05/24/2007	EXAMINER	
JORDAN AND HAMBURG LLP			BONCK, RODNEY H	
122 EAST 42ND STREET			ART UNIT	PAPER NUMBER
SUITE 4000			3681	
NEW YORK, NY 10168				
MAIL DATE		DELIVERY MODE		
05/24/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/541,682	MIURA, YOSHIHISA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Rodney H. Bonck	3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 September 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____.                                     |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/07/05</u> .  | 6) <input type="checkbox"/> Other: _____.                         |

## **DETAILED ACTION**

The following is a first action on the merits of application Serial No.10/541,682, filed September 8, 2005, which is the national stage of PCT/JP04/00132, filed January 9, 2004.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

Receipt is acknowledged of the Information Disclosure Statement filed July 7, 2005. The cited document has been considered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Recitation in claims 1 and 3 that the tongues "elongate" into the pockets is seen as inaccurate since it appears to be saying that the tongues are capable of lengthening or elongating. In claim 1, recitation of the "base

Art Unit: 3681

being in a state where it is previously bent toward a side that will be inside, before placed in said annular space" is not understood. This appears to be claiming an intermediate structure rather than the final structure. In claim 3, "sad pockets" apparently should be –said pockets--. It is unclear what is meant by the expression "as seen from a column constituting a spring". There is no proper antecedent of "all centers of curvature", and it is unclear what is meant by "previously bent". This appears to be referring to an intermediate structure or a method of assembly rather than a clutch spring, *per se*. The intended meaning of "a height of a tip end portion" and "a height of an apex" is unclear. The term "height" would appear to refer to a vertical distance, but the orientation has not been defined.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, insofar as definite, are rejected under 35 U.S.C. 103(a) as being unpatentable over Message('093) in view of the Japanese document (2-76234) and Miura et al.(US 2003/0006114 A1). Message discloses a one-way clutch spring, which is placed in an annular space between inner and outer rings of the clutch. The spring includes pockets in which engagement members are disposed. The spring includes

tongues that extend into the pockets and are bent at an angle to the base of the spring. While the tongues appear to be at an angle of approximately 20° to 30°, the particular angle of the tongue would be variable within the skill in the art depending on the strength of the material of the spring and the shape of the engagement member. Thus arriving at a particular angle of the tongue would have been obvious within the meaning of 35 USC 103. It is apparent that insertion of the engagement member would cause additional deflection of the tongue, the amount of deflection depending on the shape of the engagement member. Providing plural bends or undulations in the spring is suggested by Message as a way to improve flexibility of the spring. Both the Japanese document and Miura et al. suggests providing the bends such that their centers of curvature are on the inner side of the spring. The specific radii of curvature would be variable within the skill in the art depending on the overall dimensions of the clutch. Thus arriving at a particular radius of curvature would be obvious within the meaning of 35 USC 103.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone

Art Unit: 3681

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rodney H. Bonck  
Primary Examiner  
Art Unit 3681

rhb  
May 23, 2007